

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MICHAEL E. WITHEY and SHARON
11 MAEDA,

Plaintiffs,

v.

12 FEDERAL BUREAU OF INVESTIGATION
13 (FBI),

Defendant.

CASE NO. C18-1635-JCC

MINUTE ORDER

16 The following Minute Order is made by direction of the Court, the Honorable John C.
17 Coughenour, United States District Judge:

18 This matter comes before the Court *sua sponte*. There are four motions for summary
19 judgment before the Court (Dkt. Nos. 23, 34, 92, 94). Many of the issues addressed in the
20 motions have since been mooted, by virtue of this Court's order denying Plaintiffs' motion to
21 strike the FBI's *Glomar* defense (Dkt. No. 96) and the FBI's subsequent document productions.
22 In the interest of judicial economy, the Court ORDERS the following:

- 23 • The Clerk is DIRECTED to terminate all outstanding motions for summary judgment
24 (Dkt. Nos. 23, 34, 92, 94) in this matter.
25 • By no later than January 31, 2021, the FBI is ORDERED to certify to the Court that it has
26 identified and produced all documents responsive to Plaintiffs' June 16, 2015 FOIA

1 request (Dkt. No. 1-1 at 2-8) and provided Plaintiffs with a final comprehensive *Vaughn*
2 index.

- 3 • No later than fourteen (14) days following the date of this certification, the parties are
4 ORDERED to meet and confer telephonically or in person and provide the Court with a
5 Joint Status Report (“JSR”). The JSR should include a proposed briefing schedule for
6 final cross-motions for summary judgment in this matter.
- 7 • Any requests to file overlength briefs pursuant to W.D. Wash. Local Civil Rule 7(f)
8 should be contained within the JSR. Separate motions are not necessary. If the parties are
9 unable to agree on any part of the JSR, they may answer in separate paragraphs; no
10 separate JSRs are to be filed.
- 11 • All declarations and exhibits previously filed in this matter remain available for the
12 parties’ use in their final briefing and are preferred over duplicative newly-filed
13 declarations and exhibits. The parties should reference those previously-filed declarations
14 and exhibits by docket number and page number, i.e., Dkt. No. ____ at ____.

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16 DATED this 23rd day of November 2020.

17 William M. McCool
18 Clerk of Court

19 s/Paula McNabb
20 Deputy Clerk